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In re Application of
YOSHIDA *et al*
U.S. Application No.: 10/594,905
PCT No.: PCT/JP05/006325
Int. Filing Date: 31 March 2005
Priority Date: 31 March 2004
Attorney Docket No.: 47487-0005-00-US
For: PERIPHERAL BLOOD FLOW-
IMPROVING COMPOSITION

DECISION

This is a decision on applicants' "Supplemental Submission in Support of Correction of Inventors" filed 29 October 2007.

BACKGROUND

On 20 September 2007, a decision dismissing applicant's petition under 37 CFR 1.497(d) was mailed. Applicants were given one month to respond, or any time remaining in the Form PCT/DO/EO/905 mailed 05 June 2007, whichever is longer.

On 29 October 2007, applicants filed the subject response which was accompanied by, *inter alia*, authorization to charge any required fee to Deposit Account No. 50-0573.

DISCUSSION

On 01 August 2007, applicants submitted a declaration signed by three inventors: Hirofumi KODA, Yoshinobu KISO and Takehiro MATSUMOTO. The international publication listed the inventors as Yuji YOSHIDA, Yoshinobu KISO and Yuta MATSUMOTO. For this reason, applicants submitted a petition to correct the inventors pursuant to 37 CFR 1.497(d).

The petition was dismissed in a decision mailed 20 September 2007. The decision notified applicants that if there is only a transliteration error in the spelling of an inventor's name then a petition is not required, the Office should simply be notified of the error. See § 201.03 MPEP. However, due to the difference in the name of the first inventor, applicants were requested to provide further information.

In the papers filed 29 October 2007, counsel has provided the additional

information as requested. Counsel affirms that the error made of the names of the two inventors in the PCT application was simply a translation error and that the individuals listed on the PCT application are the same as listed on the declaration. Counsel states that Hirofumi KODA was misread and translated as Yuji Yoshida. This error arose when the original Kanji characters were erroneously translated into the English language due to the fact that both Hirofuma and Loda are pronounced in more than one Japanese way. Moreover, counsel also asserts that the kanji characters for Takehiro were mistranslated.

This explanation is sufficient.

CONCLUSION

The declaration filed 01 August 2007 complies with 37 CFR 1.497(a) and (b).

The subject response was filed more than one month from the mail date of the prior decision. Thus, a three-month extension of time fee is required. This fee has been charged to Deposit Account No. 50-0573 as authorized.

Applicants have completed the requirements for acceptance under 35 U.S.C. § 371(c). The application has an international filing date of 31 March 2005, under 35 U.S.C. 363, and a 35 U.S.C. 371(c) date of **01 August 2007**.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.



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